

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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GIRL SCOUTS OF THE UNITED STATES OF	:	<b><u>ORDER RESOLVING</u></b>
AMERICA,	:	<b><u>MOTIONS TO FILE UNDER</u></b>
	:	<b><u>SEAL</u></b>
Plaintiff,	:	
	:	18 Civ. 10287 (AKH)
v.	:	
	:	
	:	
BOY SCOUTS OF AMERICA,	:	
	:	
Defendant.	:	
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ALVIN K. HELLERSTEIN, U.S.D.J.:

Defendant moved on November 25, 2020, to file certain pages and exhibits from its motion for summary judgment under seal or with redactions on the public record. *See* ECF No. 106. Plaintiff separately moved on November 30, 2020, to seal or redact materials belonging to Plaintiff that had been filed by Defendant, representing that the parties met and conferred multiple times, and Defendant did not provide Plaintiff with any objections to the sealing or redacting of the materials at issue. *See* ECF No. 113. The Court on December 1, 2020, granted Defendant's motion. *See* ECF No. 116. Before the Court now are Defendant's motion to unseal three of the seventeen documents under seal, as well as Plaintiff's response thereto. *See* ECF Nos. 118, 119. For the following reasons, Defendant's requests are granted.

With respect to the PowerPoint slides at issue (ECF No. 110-7), the vast majority thereof pertains to Plaintiff's discussions with its public relations advisor on marketing and operational strategies. The Court finds that most of the PowerPoint slides are properly under seal to protect Plaintiff's proprietary information, with which the parties take no issue. Defendant, however, requests to unseal the cover email to the PowerPoint slides (ECF No. 110-7, at 2-5).

*See* ECF No. 118. The Court finds that unsealing the cover email is appropriate, as Plaintiff has specifically consented to its public filing. *See* ECF No. 119, at 2 n.1. The parties' dispute centers on a particular PowerPoint slide (ECF No. 110-7, at 16). The Court finds that particular PowerPoint slide implicates matters of public knowledge and does not contain any proprietary or sensitive information. The presumption in favor of public access to judicial documents therefore demands disclosure in this instance. Accordingly, Defendant's request to unseal pages 2 to 5 and 16 of ECF No. 110-7 is granted.

Defendant also requests the unsealing of two email chains submitted as ECF Nos. 110-1 and 110-2. *See* ECF No. 118. Upon the Court's review, these two email chains concern a letter that has been made public and do not themselves implicate any discernable proprietary or sensitive information. Therefore, Defendant's request to unseal ECF Nos. 110-1 and 110-2 is granted.

Accordingly, Defendant is hereby ordered to file a redacted version of ECF No. 110-7, with pages 2 to 5 and 16 unredacted. The Clerk of Court is instructed to modify the viewing level for ECF Nos. 110-1 and 110-2 to "Public."

SO ORDERED.

Dated: December 9, 2020  
New York, New York

/s/ Alvin K. Hellerstein  
ALVIN K. HELLERSTEIN  
United States District Judge